

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Preserving the Open Internet)	GN Docket No. 09-191
)	
Broadband Industry Practices)	WC Docket No. 07-52

**COMMENTS OF
LATINOS FOR INTERNET FREEDOM
AND MEDIA ACTION GRASSROOTS NETWORK**

[Access Humboldt; Center for Community Change; Center for Media Justice; Center for Rural Strategies; Chicago Media Action; Esperanza Peace and Justice Center; Free Press; Main Street Project; Media Justice League; Media Literacy Project; Media Mobilizing Project; MN Center for Neighborhood Organizing; National Association of Latino Farmers and Ranchers; National Hispanic Media Coalition; National Network of Immigrant and Refugee Rights; National Radio Project; New York Community Media Alliance; Open Access Connections/Twin Cities Community Voicemail; People's Press Project; PODER/People Organizing to Demand Environmental & Economic Rights; Presente.org; Progressive Technology Project; Reclaim the Media; Rural Coalition; Thousand Kites; Twitteros; Voz Mob/IDEPSCA; Waite House]

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October 12, 2010

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SUMMARY

The organizations comprising Latinos for Internet Freedom and Media Action Grassroots Network urge the Commission to expeditiously codify the six open Internet principles articulated in its initial Notice of Proposed Rulemaking, and to apply them across all Internet access platforms, including mobile wireless Internet access. Lower barriers to adoption have facilitated the widespread use of the mobile Internet in communities of color and low-income areas, where many individuals would otherwise go without Internet access altogether. And although wireless Internet access through a mobile device is not currently an adequate substitute for home wireline broadband accessed through a computer, many of our constituents rely exclusively on mobile wireless Internet access as their onramp to the web. Furthermore, in the near future, many unserved rural constituents may be able to connect to the next generation of wireless Internet, finally receiving home broadband Internet service without any wires whatsoever. Thus, the Commission must extend the six open Internet principles to wireless Internet access to avoid unintentionally treating communities of color, people living in rural areas, and the poor as second-class digital citizens.

In addition, the Commission is correct to be cautious that “specialized” services not threaten the open Internet. However, without more information about the nature and scope of these services, the Commission cannot accurately assess them at this time. Further, the Commission needs these details if it is to promulgate functional rules governing these services. Thus, the Commission should move ahead and adopt the six proposed open Internet rules in this proceeding and open a separate proceeding to examine “specialized” services.

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Latinos for Internet Freedom and Media Action Grassroots Network (collectively, “Media Justice Commenters”), by their attorneys at the National Hispanic Media Coalition,¹ respectfully submit these Comments in response to the Federal Communications Commission’s (“FCC” or “Commission”) Further Inquiry soliciting additional input on its draft rules designed to promote and preserve an open Internet.² The Commission specifically seeks comment on application of open Internet rules to wireless Internet access, and the relationship between open Internet protections and so-called “specialized” services.

Media Justice Commenters urge the Commission to quickly adopt the six open Internet rules it originally proposed in this proceeding, and to apply them to all Internet access platforms, including wireless access. Media Justice Commenters also recommend that the Commission ensure that “specialized” services do not supplant the open public Internet. However, in light of

¹ The *National Hispanic Media Coalition* is a twenty-four year old non-profit organization that aims to (1) improve the image of American Latinos as portrayed by the media; (2) increase Latino employment in all facets of the media industry; and (3) advocate for media and telecommunication policies that benefit the Latino community and other communities of color.

² *Preserving the Open Internet*, GN Dkt. No. 09-191; *Broadband Industry Practices*, WC Dkt. No. 07-52, Further Inquiry Into Two Under-Developed Issues In The Open Internet Proceeding (rel. Sept. 1, 2010) (“Further Inquiry”).

the unknown future of “specialized” services, Media Justice Commenters advise the Commission to open a separate proceeding to examine them.

BACKGROUND

Collectively, Media Justice Commenters are comprised of over 150 local, regional and national organizations that represent the poor, immigrants, and communities of color in both rural and urban neighborhoods.³ In these communities, use of Internet-capable mobile devices is more convenient, more easily understood, and less expensive than the use of home or community computers.

Since initial deployment of wireline broadband Internet access, low-income, rural, and ethnically diverse communities have long lagged behind affluent, white communities in the rate of home adoption. Indeed the Commission itself has acknowledged that, based on census and subscribership data, people in poor and rural communities are less likely to have the option to purchase broadband access than those in wealthy and urban communities.⁴ And even when poor

³ ***Latinos for Internet Freedom*** (“LIF”) is a coalition of local, regional and national Latino organizations and leaders who have come together to protect free speech online and to keep the Internet open and free from discrimination. Led by the Center for Media Justice, Free Press, National Hispanic Media Coalition, and Presente.org, LIF is working to ensure that the Internet continues to provide Latinos with good jobs, health care, education, small business innovation, and connection to our families, communities and neighbors. The organizations within LIF represent Latino journalists, farmers, youth, artists and cultural workers, community organizers, health care workers, educators, service providers, faith communities, and more. ***Media Action Grassroots Network*** (“MAG-Net”) is a national initiative launched by some of the country’s most dynamic regional organizations to provide an infrastructure for grassroots media activist organizations. Across the country they are building constituencies, partnerships and victories for progressive structural change. Grounded in a vision of social justice, these organizations generate creative, pragmatic models of strategic communications and mobilization that resonate powerfully far beyond the D.C. Beltway. MAG-Net Anchor organizations are Media Mobilizing Project, Main Street Project, Media Alliance, Media Justice League, Reclaim the Media, Media Literacy Project, People’s Production House, Esperanza Peace and Justice Center, and Thousand Kites.

⁴ *Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such*

and rural communities have home access to a wireline broadband service, they face a number of barriers to adoption, the most common being cost.⁵ Yet, subscription fees are only one of many prohibitive costs. Other, veiled costs include purchasing home computers, and maintaining those computers by fixing broken hardware or removing software viruses.⁶ For many, owning a mobile device is far less expensive than owning a home computer and subscribing to home broadband access.

For these reasons, mobile devices have become nearly ubiquitous in low wealth communities and communities of color.⁷ From the day laborer in California, who uses his cell phone to stay informed of job opportunities to the teenager in New York City, who uses her cell phone to connect with her community, an ever-increasing number of our constituents view mobile devices as integral tools in their everyday lives. In response to this growing trend, many

Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, as Amended by the Broadband Data Improvement Act, GN Dkt. No. 09-137; *A National Broadband Plan For Our Future*, GN Dkt. No. 09-51, Sixth Broadband Deployment Report at ¶¶ 23, 24 (rel. July 20, 2010) (“Sixth Broadband Deployment Report”).

⁵ John Horrigan, *Broadband Adoption and Use in America* 5 (FCC OBI Working Paper Series, Working Paper No. 1, 2010).

⁶ DHARMA DAILEY, AMELIA BRYNE, ALISON POWELL, JOE KARAGANIS & JAEWON CHUNG, SOCIAL SCIENCE RESEARCH COUNCIL, BROADBAND ADOPTION IN LOW-INCOME COMMUNITIES 49 (2010).

⁷ The number of Spanish-language mobile websites that have emerged in the past two years demonstrates the heavy uptick of Latinos’ mobile usage. See Press Release, Facebook, Facebook Releases Site in Spanish; German and French to Follow (Feb. 7, 2008), available at <http://www.facebook.com/press/releases.php?p=16446> (last visited Oct. 10, 2010); Dan Butcher, *Citibank Launches Spanish Language Version of Citi-Mobile*, MOBILE COMMERCIAL DAILY, Oct. 12, 2009, available at <http://www.mobilecommercedaily.com/citibank-launches-spanish-language-version-of-citi-mobile/> (last visited Oct. 10, 2010); Mark Walsh, *Yahoo Unveils Spanish-Language Mobile Site*, MEDIAPOST, Nov. 12, 2009, available at http://www.mediapost.com/publications/?fa=Articles.showArticle&art_aid=117315 (last visited Oct. 10, 2010); Peter Finocchiaro, *Ford’s Spanish-Language Mobile Site Rivals English Version’s Traffic*, MOBILE MARKETER, Aug. 31, 2010, available at <http://www.mobilemarketer.com/cms/news/content/7197.html> (last visited Oct. 10, 2010). Notably, after only five months, Ford’s Spanish-language mobile website had “neared or exceeded traffic [volume] of the general market [website].” Finocchiaro, *supra*.

of Media Justice Commenters' organizations have initiated programs in their communities that range from training people to communicate with advanced mobile phone features to media and digital literacy education.

DISCUSSION

Mobile wireless Internet access, although not a viable substitute to home wireline access, is sometimes the only Internet onramp for the poor and people of color. Given this unfortunate reality, Media Justice Commenters agree with Chairman Genachowski that “[e]ven though each form of Internet access has unique technical characteristics, they are all different roads to the same place” and that “the Internet itself [must] remain open, however users reach it.”⁸ To create a separate but unequal system for wireline and wireless access would disproportionately impact communities of color and the poor.

In addition, although the Commission should consider the impact of “specialized” services, as such services could create an exception that eventually swallows open Internet protections altogether, they should not be considered in the context of this proceeding.

I. FAILURE TO EXTEND OPEN INTERNET PRINCIPLES TO MOBILE WIRELESS INTERNET ACCESS WOULD ADVERSELY AFFECT COMMUNITIES OF COLOR AND LOW-WEALTH COMMUNITIES

The Commission seeks comment on the extent to which the six proposed open Internet rules should apply to mobile wireless Internet access services. The Commission expresses some hesitation to applying these regulations to wireless Internet access based on what it perceives as the “unique characteristics related to technology, associated with application and device markets, and consumer usage.”⁹ Despite certain technological differences, both mobile and wireline

⁸ Julius Genachowski, Chairman, FCC, Speech to the Brookings Institute (Sept. 21, 2009).

⁹ Further Inquiry, *supra* note 2 at 2.

Internet service provide a path to the same place and therefore must be treated equally, subject to reasonable network management. Because communities of color take advantage of the lower barriers to entry and reduced costs associated with mobile Internet access, it is essential for these communities to have access to the same, unmodified Internet as users that subscribe to home, wireline broadband.

A. Communities Of Color Are The Most Active Users Of The Mobile Internet And Many Rely Solely On Wireless For Their Internet Entry Point

Recent studies indicate that use of cell phone data services has skyrocketed in recent years, particularly amongst communities of color. Since the last round of comments in this proceeding, new reports indicate that the number of people of color accessing the Internet via their mobile wireless devices continues to grow. For example, in 2010, 51% of English-speaking Latinos used their cell phones to access the Internet, as opposed to 40% in 2009.¹⁰ African-Americans followed a similar trajectory with 46% indicating that they had accessed the Internet from their cell phones in 2010, up from 37% in 2009.¹¹ Both African-Americans and English-speaking Latinos reported similar growth in the use of other mobile data functionalities such as e-mail and instant messaging.¹² Between 2009 and 2010, English-speaking Latinos reported an 11% increase in cell phone e-mail usage and a 17% increase in instant messaging from their cell phones.¹³ African-American users reported comparable increases in the use of e-mail and instant

¹⁰ AARON SMITH, PEW INTERNET & AMERICAN LIFE PROJECT, MOBILE ACCESS 2010 4 (2010) (“Mobile Access 2010”); JOHN HARRIGAN, PEW INTERNET & AMERICAN LIFE PROJECT, WIRELESS INTERNET USE 28 (2009) (“Wireless Internet Use 2009”)

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

messaging on their cell phones demonstrating an 11% and 9% increase in each function, respectively.¹⁴

The same studies also illustrate that people of color access the Internet via cell phones at a much greater rate than their white counterparts. For instance, in 2010, only 33% of whites accessed the Internet on their cell phones compared to 51% of Latinos and 46% of African-Americans.¹⁵ 30% of whites sent or received e-mail on their cell phones compared to 47% of Latinos and 41% of African-Americans.¹⁶ 23% of whites sent or received instant messages compared to 49% of Latinos and 44% of African-Americans.¹⁷ Finally, 13% of whites used their cell phones to post a photo or video online compared to 25% of Latinos and 20% of African-Americans.¹⁸ In each of these datasets, the numbers achieved by communities of color represented a “statistically significant difference compared with whites.”¹⁹ As wireless technology continues to improve, it is only a matter of time before mobile Internet access becomes as ubiquitous as cell phone ownership and voice usage.

Other data corroborate these findings, and provide further insight into both English and Spanish-speaking Latinos, as well as other communities of color. One survey that included both English and Spanish-language response methods found that Latinos use mobile data services at a greater rate than any other ethnicity in five out of six categories measured.²⁰ In fact, in each of

¹⁴ *Id.*

¹⁵ Mobile Access 2010, *supra* note 10 at 4.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ THE NIELSEN COMPANY, A SNAPSHOT OF HISPANIC MEDIA USAGE IN THE U.S. 3 (2010) *available at* <http://en-us.nielsen.com> (last visited Oct. 10, 2010). The six categories measured were text messaging, picture downloads, mobile Internet, e-mail, mobile video, and full-track music downloads. Latino adoption led every category except mobile video, which African-Americans dominated. Of the categories that Latinos led, the adoption rate was substantial. 43%

the six categories measured, Latinos, African-Americans, Asian/Pacific Islanders, and Native Americans/Alaskan Natives all reported higher adoption rates of mobile data services than whites.²¹ In addition, communities of color are heavy users of mobile phone applications.²²

Significantly, many low-wealth individuals and people of color rely on cell phones as their *only* onramp to the Internet.²³ 18% of African-Americans and 16% of English-speaking Latinos are cell-only wireless Internet users, compared to 10% of whites.²⁴ Furthermore, 17% of those earning less than \$30,000 per year are cell-only wireless Internet users.²⁵ Therefore, should the Commission fail to apply the six proposed network neutrality principles to wireless Internet access, the poor and people of color would suffer from yet another digital divide – this one, completely foreseen and avoidable. Such a course would create a scenario whereby affluent individuals or households that can afford to buy computers and wireline Internet connections would have a categorically different online experience than those accessing the Internet wirelessly. Given the myriad social, educational, and economic opportunities that Internet

of Latinos had accessed the mobile Internet from their cell phone, 38% said that they had e-mailed, 29% had downloaded pictures, 16% had accessed mobile video, and 16% had obtained a full-track music download using their mobile device. *Id.*

²¹ *Id.*

²² KRISTIN PURCELL, ROGER ENTNER & NICHOLE HENDERSON, THE RISE OF APPS CULTURE, PEW INTERNET & AMERICAN LIFE PROJECT AND THE NIELSEN COMPANY (2010) *available at* http://pewinternet.org/~media/Files/Reports/2010/PIP_Nielsen%20Apps%20Report.pdf. According to this report, a survey of those who recently downloaded a mobile phone application revealed that Latinos account for about one in five of all application downloads. *Id.* at 25. Many of the Latino users who downloaded apps acknowledged that they used practical apps. For example, 42% had used news or weather apps in the last month. *Id.* at 27. 47% had used maps, navigation, or search apps; 21% had used productivity apps; and 32% had used banking or finance apps. *Id.* Furthermore, African-Americans and Latinos were far more likely to be daily users of YouTube applications than whites. *Id.* at 7.

²³ *Id.* at 19.

²⁴ Mobile Access 2010, *supra* note 10 at 10.

²⁵ *Id.*

access provides for these traditionally marginalized groups,²⁶ the Commission must not create a system where the haves enjoy a complete Internet experience while the have-nots encounter only slow speeds and roadblocks.

B. Wireless Internet Access Is Empowering The Poor and Communities Of Color To Participate In Our Democracy

Although the statistics above begin to paint a picture of the necessity of an open Internet over all forms of Internet access, statistics alone cannot explain the prevalence and power of mobile Internet access for the poor and people of color. Fortunately, many of the Media Justice Commenters can. Indeed, many of our local and national organizations across the country have instituted education programs so that low-income communities and communities of color can fully benefit from the functionality of their mobile devices. Furthermore, communities of color currently use mobile devices as a primary tool for activism, community engagement, and democratic participation.

Recently, due to the prevalence of mobile devices in communities of color, many Media Justice Commenters have encouraged and facilitated democratic participation through the use of text messages. For instance, Voto Latino, a national non-partisan organization, uses the Internet and mobile platforms to encourage millions of Latinos to register to vote and engage on social issues. Leading up to the 2008 Presidential Election, Voto Latino launched the “Text2Represent” campaign, which facilitated voter registration and civic discourse amongst

²⁶ See Comments of National Hispanic Media Coalition at 2, 4, GN Dkt. No. 09-191, WC Dkt. No. 07-52 (filed Jan. 14, 2010); Comments of Media Action Grassroots Network at 8-9, GN Dkt. No. 09-191, WC Dkt. No. 07-52 (filed Jan. 14, 2010).

Latinos all over the country through the use of text message alerts and reminders.²⁷ Public interest organizations and civil rights groups have harnessed the power of the Internet and mobile devices to organize communities for justice at various points in recent history, including the 2009 campaign to remove Lou Dobbs from CNN after years of ugly and inaccurate anti-Latino rhetoric,²⁸ and the major push in opposition to SB-1070, Arizona's draconian anti-Latino legislation.²⁹

Another group that is embracing the mobile web as a means to increase community engagement is VozMob ("Mobile Voices"). VozMob is a mobile multimedia storytelling platform that is the product of a collaborative effort between the Annenberg School for Communication and Journalism at the University of Southern California and the Institute of Popular Education of Southern California.³⁰ VozMob enables immigrant and low-wage workers in Los Angeles to tell stories about their lives and communities directly from their cell phones.³¹ The purpose of VozMob is to appropriate technology to create power in local communities by teaching local workers, who lack computer access, how to use their cell phones to participate in

²⁷ Official Statement: Voto Latino Supports Net Neutrality, Jan. 15, 2010, *available at* <http://www.votolatino.org/internet/2010/01/15/official-statement-voto-latino-net-neutrality/> (last visited Oct. 12, 2010).

²⁸ Basta Dobbs: Home, *available at* <http://www.bastadobbs.com/> (last visited Oct. 12, 2010).

²⁹ Roberto Lovato, Editorial, *Latino Freedom is Internet Freedom*, THE HUFFINGTON POST, Aug. 30, 2010, *available at* http://www.huffingtonpost.com/roberto-lovato/latino-freedom-is-interne_b_699112.html (last visited Oct. 12, 2010).

³⁰ About VozMob, *available at* <http://vozmob.net/en/about> (last visited Oct. 10, 2010). The *Institute of Popular Education of Southern California* ("IDEPSCA") is a member-organization of Latinos for Internet Freedom. IDEPSCA is a nonprofit organization whose mission is to create a more humane and democratic society by responding to the needs and problems of disenfranchised people through leadership development and educational programs based on Popular Education methodology. IDEPSCA Homepage, *available at* <http://www.idepsca.org/> (last visited Oct. 12, 2010).

³¹ About VozMob, *available at* <http://vozmob.net/en/about> (last visited Oct. 12, 2010).

the digital public sphere.³² The VozMob platform is constantly evolving based on input from the low-wage workers that the program serves.³³ Using only cell phones, VozMob gives its users a digital voice and a web presence that would not otherwise exist.

Yet without open Internet protections, amazing projects such as these may not be possible. As the data and stories above indicate, mobile Internet is growing fast, particularly in communities of color. As wireless Internet access continues to expand, text activism is likely to evolve and coalesce into mobile Internet activism. Thus, if the Commission fails to apply open Internet principles to wireless Internet access – particularly rules regarding non-discrimination and paid prioritization – then the democratic discourse that occurs over that medium could be stifled, or even worse, foreclosed altogether. This would be particularly devastating for communities of color and the poor, who are more likely to rely on cell phones for Internet access than their white, wealthy counterparts.

C. Wireless Internet Technology May Soon Be Used To Provide Home Broadband Access To Underserved Communities

As the United States struggles to make affordable broadband available to all Americans, future wireless technology could help overcome the digital divide, coming closer than ever before to resembling a fixed wireline experience.³⁴ And because wireless technology does not require the same infrastructure as wireline service, it can be deployed at a lower cost to areas

³² VozMob, *available at* <http://www.idepsca.org/vozmob> (last visited Oct. 12, 2010).

³³ *Id.*

³⁴ Tony Bradley, *Verizon LTE Blazing Trails for Wireless Broadband*, PC WORLD, Mar. 8, 2010, *available at* http://www.pcworld.com/businesscenter/article/191005/verizon_lte_blazing_trails_for_wireless_broadband.html (last visited Oct. 12, 2010).

with lower population density, such as rural areas.³⁵ However, for Americans to truly reap the benefits of innovation and increased competition, mobile wireless connections must have the same rules as fixed wireline connections. This can only be achieved if the six open Internet principles apply equally, regardless of the technology used to access the Internet.

Home wireless broadband based on mobile technology could reach the market as soon as later this year and compete directly with wireline service,³⁶ coinciding with the multi-carrier rollout of LTE (4G) mobile technology. Verizon Wireless, for one, has estimated that its LTE network will be capable of download speeds between 5-12 megabits per second (Mbps).³⁷ These speeds, while not outstanding, are faster than the average of 3.8 Mbps download speed that United States wireline broadband users currently achieve.³⁸ Recent news articles indicate that Verizon Wireless is currently in the beta testing phase of home LTE service in the United States using a modem and special antenna so that users will be able to employ the next generation mobile network to access the Internet on their home computers.³⁹ Many expect Verizon Wireless to deploy this service to rural areas while scaling back the use of its wireline infrastructure.⁴⁰ If this is the case, many users in the United States, including users in

³⁵ Scott Jordan, *Do Wireless Networks Merit Different Net Neutrality Than Wired Networks?*, 9, n.2 (Oct. 2010).

³⁶ Karl Bode, *Exclusive: Verizon Home LTE Beta Test Photos*, BROADBAND DSL REPORTS, Sept. 30, 2010, available at <http://www.dslreports.com/shownews/Verizon-Testing-Home-LTE-Wireless-With-DirecTV-110646> (last visited Oct. 12, 2010).

³⁷ Press Release, Verizon Wireless, Verizon Wireless' 4G LTE Network Testing Promises Significantly Faster Speeds Than Current 3G Networks (Mar. 8, 2010), available at <http://news.vzw.com/news/2010/03/pr2010-03-02b.html> (last visited Oct. 12, 2010).

³⁸ Karl Bode, *Average U.S. Broadband Speed: 3.8 Mbps*, BROADBAND DSL REPORTS, Apr. 20, 2010, available at <http://www.dslreports.com/shownews/Average-US-Broadband-Speed-38Mbps-107992> (last visited Oct. 12, 2010).

³⁹ Karl Bode, *Exclusive: Verizon Home LTE Beta Test Photos*, BROADBAND DSL REPORTS, Sept. 30, 2010, available at <http://www.dslreports.com/shownews/Verizon-Testing-Home-LTE-Wireless-With-DirecTV-110646> (last visited Oct. 12, 2010).

⁴⁰ *Id.*

communities that have *never* had sufficient broadband access, could turn to home wireless as an affordable and feasible means of accessing the Internet. Thus, it is imperative that the Commission apply the six open Internet principles to wireless. In the very near future, many people living in rural areas will *finally* gain home Internet access, and it would be woeful if their online experience were significantly inferior to that of wireline broadband consumers after waiting so long for home broadband access.

II. THE IMPACT OF SPECIALIZED SERVICES SHOULD BE ADDRESSED IN A SEPARATE PROCEEDING

The Commission also seeks comment on the relationship between open Internet protections and “specialized” services.⁴¹ Media Justice Commenters fear that the advent of “specialized” services may create a loophole to the open Internet rules. “Specialized” services could potentially result in traffic discrimination or paid prioritization, effectively eviscerating the open Internet principles that the Commission has proposed in this proceeding. Media Justice Commenters recognize that “specialized” services are currently an imprecise and ill-defined idea. Without existing or proposed examples of such services, it is difficult to assess any potential impact that they may have on the public Internet. Thus, Media Justice Commenters urge the Commission to codify the six proposed principles and apply them to well-established services, such as wireline and wireless Internet access services, and open a separate proceeding concerning “specialized” services to collect data on what they will be, how they will be implemented, and what impact they could have on an open public Internet.

CONCLUSION

For the foregoing reasons, Media Justice Commenters urge the Commission to act swiftly to codify the proposed open Internet principles and apply the principles across all broadband

⁴¹ Further Inquiry, *supra* note 2.

platforms. Furthermore, Media Justice Commenters request that the Commission recognize the potential loophole that could be created by “specialized” services and open a separate proceeding to explore the impact that such services could have on access to the public Internet.

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